

HCS SCS SB 569 -- ELECTIONS

SPONSOR: Kraus (Dugger)

COMMITTEE ACTION: Voted "do pass" by the Committee on Elections by a vote of 8 to 2.

This substitute changes the laws regarding elections. In its main provisions, the substitute:

- (1) Requires the county commission to appoint an interim official in the event of a vacancy in the office of county clerk, auditor, or assessor to discharge the duties of the office until the Governor appoints a replacement (Section 49.101, RSMo);
- (2) Requires a county collector or collector-treasurer to reside in the county from which he or she was elected throughout his or her term of office (Sections 52.010.1 and 54.330.1);
- (3) Requires a candidate for county collector or collector-treasurer, except in a county with a charter form of government, to be at least 21 years of age, a resident of the county for at least one year prior to the date of filing, and a registered voter who has paid all state income taxes and personal and real property taxes (Sections 52.010.2, 52.010.3, and 54.330.1);
- (4) Allows an exception for a county having a township form of government with an office of collector-treasurer from the requirement that the county commission appoint a deputy treasurer or a qualified person to serve as an interim treasurer in the event of a vacancy. Currently, only a county with a charter form of government is allowed this exemption (Section 54.033);
- (5) Allows a county sheriff, marshal, clerk, or collector or the deputy of the office to run for the office of county treasurer but prohibits him or her from holding the office and the office of county treasurer simultaneously (Section 54.040);
- (6) Specifies that the county collector-treasurer in a county with township organization will have the sole authority to appoint deputies (Section 54.330.2);
- (7) Allows certain third class cities organized under Sections 78.010 - 78.400 to eliminate, by order or ordinance, any primary election for the office of mayor and councilman that is currently held in February. A person wishing to become a candidate for these offices must file a signed statement of candidacy with the city clerk in order to be placed on the ballot at the next municipal election (Section 78.090);

(8) Removes the first Tuesday after the first Monday in June as a public election day, allows a bond election to be held on the first Tuesday after the first Monday in February but not to include any other issue with specified exceptions including a tax election necessitated by a decline of 5% or more in per-pupil state revenue from the previous year, and changes the date for an election for a presidential primary from the first Tuesday after the first Monday in March to the first Tuesday after the first Monday in February (Section 115.123);

(9) Requires any candidate for public office to declare under penalty of perjury that he or she is not aware of any information that would prohibit him or her from fulfilling any bonding requirements of the office. The candidate must file with the Department of Revenue a signed affidavit that he or she meets the bond requirements and include a copy of the affidavit with the declaration of candidacy that must be filed with the appropriate election official (Section 115.342);

(10) Specifies that any person responsible for the oversight of the filing of candidates who discourages, hampers, pressures, or attempts to prevent another person from filing for office for the purpose of eliminating the requirement to hold a special election because the number of candidates filing is the same as the number of positions to be filled will be guilty of a class four election offense (Section 115.637);

(11) Increases the state committee filing fee for a presidential candidate from \$1,000 to \$10,000 for any election held after December 1, 2012 (Section 115.761); and

(12) Repeals the provisions requiring the party emblem to be printed on the ballot above the party caption (Section 115.241).

FISCAL NOTE: No impact on state funds in FY 2013, FY 2014, and FY 2015.

PROPOSERS: Supporters say that the bill will remove an unnecessary June election day and help save money. It will also limit February elections to school tax votes.

Testifying for the bill was Senator Kraus.

OPPOSERS: Those who oppose the bill say that some cities would like to retain February elections for bond and tax votes.

Testifying against the bill was Missouri Municipal League.